**Vacation short-term rental of less than 30 days recommendation to modify the Municipal Code requiring a permit for operation**

**Background.**

*The residents of the Pacific Beach community of San Diego and other communities have expressed concern over vacation short-term rental issues affecting the character and peaceful enjoyment of their neighborhoods. The problems include noise, parking, traffic and trash and potential safety issues caused by not regulating the vacation short-term rentals, those rentals less than 30 days. The community would like to focus on limiting the effect of vacation short-term rentals. The main concerns of the community are 1) the lack of accountability for home owner and property managers to maintain best practices and 2) the lack of resources dedicated to enforcement of these best practices 3) the increase of vacation short term rental property in the single family RS zone. The operation of vacation short-term rentals should be controlled through a City issued permit.*

**Recommendation**

Therefore the PBPG appointed sub-committee for investigating the vacation short-term rental of residences less than 30 days, recommends that the City modify the San Diego Municipal Code to require a permit for the operation of any vacation short-term rental citywide and that the permit fees be determined to cover the City’s cost for management and enforcement of the permit.

The Vacation Rental sub-committee additionally recommends that the City permit for the establishment and operation of any vacation short-term rental less than 30 days city wide, at a minimum shall include the following standards

* All businesses, agents, property managers or owners of property applying for a Vacation Rental permit shall include their 24/7 contact information along with phone numbers. This list shall be published in the City online web site.
* The permit shall require TOT as per Municipal Code.
* All marketing for the property shall have the permit number listed.
* The dwelling to be used as a vacation rental shall be reviewed by the City’s Vacation Rental Manager who will determine the maximum number of people that could be housed in the rental by number of bedrooms and dwelling square footage and the maximum number of vehicles that can be parked at the rental by the property’s number of off street parking
* The City’s Vacation Rental Manager shall determine that the residence is properly maintained with no known code violations, adequate safety features like fencing for pools, along with a one or more fire extinguisher, smoke detectors by code, adequate storage of flammable liquids, and adequate trash and recycling containers
* The residence shall be equipped with one identification sign, with the names of the managing agency, agent, property manager or owner of the residence with the telephone number, the maximum number of occupants permitted to stay in the unit; the number of vehicles allowed to be parked on the property and the phone number of the Cities Vacation Rental Manager.
* All noise or disturbance violations at the short-term rental, reported by neighbors, shall be recorded by the police and given an incident number stating that this is a short-term rental. A copy shall be sent to the Cities Vacation Rental Manager. The City shall notify the listed property manager, operator, owner in writing with the evidence to substantiate any violation of noise or other permit requirement as per the City’s CAPP program. After the notification of three substantiated violations of the noise ordinance within a 6 month period, the permit for operation can be revoked and fines levied to the property owner as per the CAPP program. This may be appealed to the City for consideration to keep the vacation short-term rental permit.
* Any business, agent, property manager or owner of property who rentals one or more transient private home rental unit shall be required to obtain a City Business license and permit for operation.
* All short-term rental units shall be covered by a liability insurance policy with amounts determined by the City.